

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RAJENDRA D. BADGAIYAN, M.D.,

Plaintiff,

v.

ANTHONY J. PRINCIPI, Secretary,
Department of Veterans' Affairs;
President and Fellows of
HARVARD COLLEGE;
and GRACE J. MUSHRUSH, M.D.,

Defendants.

C.A. No. 04-12031-JLT

PLAINTIFF RAJENDRA BADGAIYAN M.D.'S MOTION FOR LEAVE
TO SERVE DISCOVERY REQUESTS ON DEFENDANTS HARVARD
AND PRINCIPI HEREIN

NOW COMES YOUR PLAINTIFF, RAJENDRA D. BADGAIYAN, M.D., and hereby respectfully MOVES this HONORABLE COURT for leave to SERVE discovery requests on institutional defendants in the above matter, and states as his reasons therefor as follows:

1. This matter involves allegations of discriminatory treatment and abuse of a medical doctor and successful medical researcher on the basis of his race and national origin in violation of federal law, 42 U.S.C. §2000e-2(a), (d), et seq.;

2. The Complaint in this action was filed on or about September 22, 2004;

3. This court entered its order governing discovery on or about September 21, 2005, permitting the parties to conduct depositions of certain identified individuals and prohibiting further discovery without order of the court;

4. Your plaintiff Dr. Badgaiyan at the beginning of this month served deposition notices for two deponents authorized by the court, and has a firm date set for one of them;

5. Your plaintiff Dr. Badgaiyan further believes, however, that the institutional defendants herein possess documentary evidence which will contribute significantly to a more complete exposition of the facts asserted in his Complaint and will therefore support expeditious resolution of this matter;

6. Dr. Badgaiyan also believes documents of which he possesses copies through initial disclosures or other litigation are authentic; and that the admission of their authenticity would similarly contribute to the expeditious resolution of this matter;

7. Accordingly, as a means of further investigating and clarifying the allegations of his Complaint, Dr. Badgaiyan has prepared appropriate Requests for Document Production and for Admissions for submission to the institutional defendants herein, copies of which are attached hereto as Exhibits A, B and C;

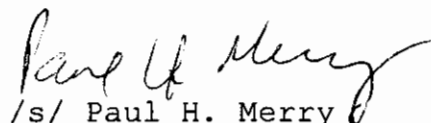
8. The interest of the court in a just and expedient resolution of this matter will be served by permitting Dr. Badgaiyan to gather the requested information bearing on the

allegations of the Complaint;

WHEREFORE Dr. Badgaiyan hereby respectfully MOVES this HONORABLE COURT that it enter its ORDER granting him LEAVE to SERVE on defendants Principi (United States Veterans Administration) and Harvard herein his documentary discovery requests as attached hereto.

DATED:

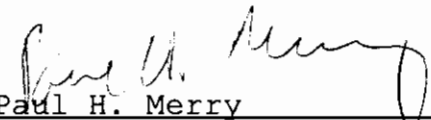
Respectfully submitted,
Rajendra Badgaiyan, M.D.
By His Attorney,



/s/ Paul H. Merry
Paul H. Merry, Esq.
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Boston, MA 02108
(617) 720-2400
BBO# 353480

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party to this action by first-class mail on December 28, 2005.


/s/ Paul H. Merry
Paul H. Merry